

Message Text

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ACTION EUR-08

INFO OCT-01 SS-14 ISO-00 L-01 DHA-02 ORM-01 NSC-05 NSCE-00

INR-05 CIAE-00 SY-02 CU-02 VO-01 SCA-01 PRS-01 USIE-00

/044 W

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P 281500Z APR 76

FM AMEMBASSY BUCHAREST

TO SECSTATE WASHDC PRIORITY 7660

INFO USIA WASHDC PRIORITY

C O N F I D E N T I A L BUCHAREST 2350

LIMDIS

E.O. 11652: GDS

TAGS: PINS, RO

SUBJECT: MEETING WITH DEPUTY FOREIGN MINISTER PACOSTE: DEFECTION
OF FSL ANGELA VOICU

1. SUMMARY. IN APRIL 23 MEETING DEPUTY FOREIGN MINISTER PACOSTE
RAISED MATTER OF VOICU DEFECTION WITH CHARGE. STATED THAT SINCE
EMBASSY HAD REQUESTED MINISTRY'S ASSISTANCE IN OBTAINING PERMISSION
FOR HER TO GO TO U.S. UNDER OFFICIAL AUSPICES WE HAD RESPONSIBILITY
FOR ENSURING HER RETURN. HE REQUESTED HER VISA BE INVALIDATED AND
THAT SHE PROMPTLY BE REPATRIATED. SHE WOULD BE ALLOWED TO RETURN
TO WORK FOR EMBASSY AND INCIDENT WOULD BE CONSIDERED NEVER TO HAVE
HAPPENED.

2. AT CONCLUSION CONVERSATION REPORTED BUCHAREST 2291 PACOSTE
ASKED CHARGE TO REMAIN TO DISCUSS "VERY UNPLEASANT MATTER". HE
THEN READ FROM EMBASSY'S NOTE TO MFA DATED JAN. 19, 1976, REQUESTING
"THE MINISTRY'S ASSISTANCE IN OBTAINING FAVORABLE AND RAPID
CONSIDERATION FOR MRS. ANGELA VOICU'S REQUEST TO GO TO THE UNITED
STATES FOR A CULTURAL EXCHANGE PROGRAM". UNDERSCORING HIS POINT
HE FURTHER READ SECTION STATING "SHE WILL BE GOING FOR A TRAINING
PROGRAM AT THE REQUEST OF THE EMBASSY".

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3. PACOSTE SAID THAT THE MINISTRY CONSIDERED THIS OFFICIAL REQUEST

BY THE EMBASSY TO CONSTITUTE AN "OBLIGATION AND A RESPONSIBILITY" ON THE PART OF THE EMBASSY TO ENSURE THAT MRS. VOICU WAS PROMPTLY REPATRIATED TO ROMANIA. IN THE ABSENCE OF SUCH ACTION ON OUR PART THE EMBASSY'S "WORD AND BONA FIDES" WOULD BECOME SUSPECT TO "CERTAIN PEOPLE". WE WERE TO UNDERSTAND THAT MRS. VOICU MENT NOTHING TO THE ROMANIAN GOVERNMENT. WHAT WAS IMPORTANT WAS MAINTENANCE OF THE EMBASSY'S INTEGRITY. WE HAD OFFICIALLY REQUESTED THE MINISTRY'S SUPPORT IN THIS CASE AND IT HAD BEEN GRANTED ON THE IMPLICIT UNDERSTANDING THAT THE EMBASSY TOOK FULL RESPONSIBILITY FOR ITS ACTIONS. HE THEREFORE REQUESTED THAT MRS. VOICU'S VISA BE IMMEDIATELY INVALIDATED AND THAT SHE FORTHWITH BE PUT ON A PLANE FOR ROMANIA.

4. CHARGE RESPONDED HE FULLY APPRECIATED DIFFICULTIES WHICH THIS CASE POSED FOR GOR (TO WHICH PACOSTE PROMPTLY REITERATED HIS CANT THAT GOR NOT CONCERNED, IT WAS ONLY MFA'S CONCERN ABOUT EMBASSY'S "GOOD NAME"). CHARGE SAID HE APPRECIATED MINISTRY'S CONCERN FOR EMBASSY'S REPUTATION, BUT HE FAILED TO SEE CONNECTION BETWEEN THIS AND MRS. VOICU'S FAILURE TO RETURN. FACT WAS THAT EMBASSY'S NOTE REQUESTING MIMSSSTRY'S ASSISTANCE IN OBTAINING PERMISSION FOR HER TO GO TO THE U.S. UNDER EMBASSY AUSPICES REPRESENTED NOTHING MORE THAN COMPLIANCE BY EMBASSY OF SOP ESTABLISHED BY MINISTRY ITSELF FOR PROCESSING SUCH CASES. HE DID NOT SEE CONNECTION BETWEEN THIS STANDARD REQUEST AND RESPONSIBILITY FOR MRS. VOICU'S PERSONAL DECISIONS RELATING TO HER FUTURE. WAS MINISTER SUGGESTING THAT INHERENT IN EMBASSY'S NOTE WAS A GUARANTEE BY USG THAT SHE WOULD RETURN. DID HE CONSIDER WE WERE IN A BETTER POSITION TO OFFER SUCH A GUARANTEE THAN WAS HIS OWN MINISTRY OR ANY OTHER ORGAN OF THE ROMANIAN GOVERNMENT IN RESPECT TO TRAVEL ABROAD BY ROMANIAN OFFICIALS AND CITIZENS?

5. PACOSTE BRIEFLY BACKED OFF BY REPLYING IT HAD NOT BEEN HIS INTENTION TO IMPLY THAT WE SHOULD OR COULD OFFER SUCH A GUARANTEE. WHAT HE WAS SAYING WAS THAT THIS WAS A "BAD SITUATION". THE EMBASSY'S GOOD FAITH WAS INVOLVED. HOW WOULD IT LOOK IF MRS. VOICU'S HUSBAND WENT TO THE PRESS WITH THE STORY THAT THE U.S. EMBASSY HAD HELPED HIS WIFE TO LEAVE ROMANIA PERMANENTLY.

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6. CHARGE ASKED PACOSTE IF BY THAT QUESTION HE WAS IMPLYING THE EMBASSY HAD FOREKNOWLEDGE OF MRS. VOICU'S INTENTIONS. IF SO, THEN CASE TOOK ON A MUCH MORE SERIOUS CONNOTATION. PACOSTE SHOULD KNOW STRAIGHT AND NOW THAT WE HAD NO PRIOR WHIFF OF MRS. VOICU'S INTENTION, THAT IF WE HAD SHE NEVER WOULD HAVE BEEN SPONSORED BY US. IT WAS DIFFICULT TO UNDERSTAND HOW ANYONE COULD RATIONALIZE THAT HER DEFECTION WAS IN OUR INTERESTS. CHARGE HAD INFORMED MITRAN AT TIME HER DECISION NOT TO RETURN BECAME KNOWN TO US THAT WE WERE EXTREMELY

UNHAPPY. THAT WAS THE THRUTH THEN AND IT REMAINED THE TRUTH. AS FOR THE PRESS PROBLEM, CHARGE RESPECTFULLY NOTED HE DID NOT FEEL THIS WOULD BE A SUBJECT OF SPECIAL INTEREST TO THE ROMANIAN PRESS. AS FOR FOREIGN PRESS COVERAGE HE WOULD LEAVE IT TO THE MINISTER TO DECIDE WHOSE REPUTATION WOULD SUFFER MORE. SO FAR AS U.S. WAS CONCERNED, HE THOUGHT NEITHER PUBLICITY NOR, FOR THAT MATTER, FURTHER DISCUSSION OF THE CASE BY EITHER SIDE WAS IN OUR MUTUAL INTEREST.

7. PACOSTE SAID FACT WAS SHE WAS STILL IN U.S., THAT WE HAD THE POWER TO REVOKE HER VISA, AND THAT WE HAD NOT DONE SO. WHAT CONCLUSIONS WAS HE TO DRAW FROM THIS? HE WAS AUTHORIZED TO INFORM US THAT IF MRS. VOICU WOULD RETURN SHE WOULD BE PERMITTED TO CONTINUE WORKING FOR THE EMBASSY, NO MEASURES WOULD BE TAKEN AGAINST HER OR HER FAMILY, AND THE "INCIDENT" WOULD BE TREATED AS IF IT HAD NEVER OCCURRED. HE ASKED THAT THIS MESSAGE BE PROMPTLY CONVEYED TO HER BY A U.S. OFFICIAL.

8. CHARGE SAID HE WOULD REPORT CONVERSATION IN FULL TO WASHINGTON. HE THOUGHT IT NECESSARY, HOWEVER, THAT PACOSTE BE LEFT WITH NO ILLUSIONS IN RESPECT TO CASE. SEVERAL U.S. OFFICIALS ALREADY HAD TALKED WITH MRS. VOICU AND HAD DONE EVERYTHING POSSIBLE TO EXPLAIN TO HER ALL THE IMPLICATIONS OF HER DECISION. DESPITE THESE EFFORTS SO FAR AS HE WAS AWARE MRS. VOICU HAD NOW IRREVOCABLY DECIDED NOT TO RETURN. SHE HAD HIRED A GOOD LAWYER WHO APPARENTLY WAS WELL VERSED IN KWMS. IMMIGRATION LAWS AND HE WAS IN THE PROCESS OF ASSISTING HER TO CHANGE HER STATUS TO THAT OF AN INTENDING PERMANENT RESIDENT. SHE HAD NOT BROKEN ANY U.S.BZ LAW. SINCE U.S. IMMIGRATION LAWS SPECIFICALLY PROVIDED FOR THE ADJUSTMENT OF STATUS OF PERSONS IN HER SITUATION, SO FAR AS HE KNEW THERE WAS NO WAY THE U.S. GOVERNMENT

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COULD DEPORT HER, EVEN IF IT WISHED TO DO SO, WITHOUT RECOURSE TO THE COURTS. HE REPEATED THAT SHE HAD NOT BROKEN ANY LAWS AND THEREFORE THERE WERE NEITHER GROUNDS NOR DISPOSITION TO REQUIRE HER TO LEAVE.

9. PACOSTE REVERTED TO HIS INITIAL ARGUMENT RELATING TO EMBASSY LIABILITY IN THE MATTER AND THE CHARGE REITERATED THE POINTS MADE ABOVE. HE RE-ASSURED PACOSTE HE WOULD REPORT CONVERSATION AND PACOSTE'S SPECIFIC REQUEST. BUT HE TRUSTED PACOSTE WOULD NOT LOSE SIGHT OF ELEMENT FUNDAMENTAL TO CASE: THE U.S. WAS A COUNTRY OF LAWS DESIGNED FIRST AND FOREMOST TO PROTECT THE RIGHTS OF THE INDIVIDUAL. THROUGH HER LONG ASSOCIATION WITH AMERICANS MRS. VOICU HAD APPARENTLY LEARNED THIS LESSON WELL AND SHE WAS NOW IN THE PROCESS OF APPLYING THIS KNOWLEDGE IN PROTECTION OF WHAT SHE PERCEIVED TO BE HER SELF-INTEREST.

10. COMMENT. ALTHOUGH THE CONVERSATION THROUGHOUT WAS CIVIL AND CORRECT, IN THE DRAFTING OFFICER'S 20 MONTHS IN ROMANIA THIS WAS THE MOST UNPLEASANT MEETING IN WHICH HE HAS PARTICIPATED. MITRAN, WHO WAS THE ONLY OTHER PERSON PRESENT, OBSERVED ENROUTE TO THE DOOR THAT PACOSTE "WAS CATCHING IT FROM ABOVE" ON THIS CASE. HE NOTED PACOSTE IS MFA'S REPRESENTATIVE ON THE INTERGOVERNMENTAL COMMITTEE WHICH HAS THE FINAL SAY ON WHO GETS A VISA. MITRAN SAID HE HAD APPROVED VOICU CASE AND NOW HE WAS BEING HELD RESPONSIBLE FOR HIS "MISTAKE".

11. ALTHOUGH I AM CERTAINLY PREPARED TO PUT THE GLOVES ON AGAIN WITH PACOSTE, THERE DOES SEEM MERIT TO ME IN TRYING TO LOWER THE TEMPERATURE ON THIS CASE BY, IN THE FIRST INSTANCE, AT LEAST, DIRECTING WHATEVER RESPONSE THE DEPT. MAY HAVE TO MITRAN. AMBASSADOR BARNES WILL ALSO HAVE AN OPPORTUNITY AFTER HE RETURNS TO DISCUSS THE CASE SINCE HE AGREED WITH MACOVESCU DURING THEIR CONVERSATION LAST FRIDAY THAT HE AND PACOSTE WOULD GET TOGETHER SOON TO DISCUSS A VARIETY OF PROBLEMS RELATING TO EMIGRATION.

VIETS

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLITICAL ASYLUM, DIPLOMATIC DISCUSSIONS, FOREIGN SERVICE LOCAL EMPLOYEES
Control Number: n/a
Copy: SINGLE
Draft Date: 28 APR 1976
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GarlanWA
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976BUCHAR02350
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760161-0617
From: BUCHAREST
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760415/aaaaalxl.tel
Line Count: 189
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: LIMDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: LIMDIS
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: GarlanWA
Review Comment: n/a
Review Content Flags:
Review Date: 31 DEC 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <31 DEC 2003 by GarlanWA>; APPROVED <03 FEB 2004 by GarlanWA>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: MEETING WITH DEPUTY FOREIGN MINISTER PACOSTE: DEFECTION OF FSL ANGELA VOICU
TAGS: PINS, RO, US, (VOICU, ANGELA)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006